IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 36 OF 2007.
IN
FIRST APPEAL NO.1581 OF 2007.

The New india Assurance Co.Ltd. ... Applicant.
Versus.
Smt.Ashwini Arvind Jamkar & ors. ... Respondents.

Shri Mahadik i/by Shri S.R.Singh for the Applicant.

CORAM : ABHAY S.OKA, J.

DATED : 10th October, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant. It is stated that the contesting Respondents are served. Office noting shows that a sum of Rs.2,56,168/- has been deposited by the Applicant in the Tribunal. Considering the facts and circumstances of the case, the Civil Application is disposed of by passing the following order:

i) The 2nd Respondent will be permitted to withdraw a sum of Rs.15,000/- without security. Withdrawal will be subject to the final outcome of the Appeal.

ii) Out of the rest of the amount, the 1st Respondent will be permitted to withdraw a sum of Rs.50,000/- without security. Withdrawal will be subject to final outcome of the Appeal.

iii) The balance amount shall be invested in fixed deposit in any nationalised bank. The fixed deposit shall be renewed from time to time till the final disposal of the Appeal. 25% of the interest accrued on the fixed deposit shall be permitted to be withdrawn by the 1st Respondent.

iv) The parties and the concerned Tribunal shall act on an authenticated copy of this order.

Judge.